

Amendment No. 2 to SB2456

Watson  
Signature of Sponsor

**AMEND Senate Bill No. 2456\***

**House Bill No. 2605**

by adding the following new language immediately preceding the effective date section and by renumbering the subsequent section accordingly:

SECTION \_\_. Tennessee Code Annotated, Section 63-17-202, is amended by deleting subdivision (b)(1) in its entirety and by substituting instead the following:

(b)(1) The council shall consist of five (5) members, to be appointed by the governor. Such members shall possess the following qualifications:

(A) Three (3) members shall be qualified hearing instrument specialists and fitters of hearing instruments who have been duly licensed as such in Tennessee, and who are certified by the National Board for Certification — Hearing Instrument Sciences. Such members may be appointed from a list of qualified nominees submitted by the Tennessee Hearing Aid Society;

(B) One (1) member shall be a physician who has been duly licensed to practice medicine in Tennessee, and who has received certification from the American Council of Otolaryngology. Such member may be appointed from a list of nominees submitted by the Tennessee Medical Association; and

(C) One (1) member shall be a person who has been a user of hearing instruments for a period of at least five (5) years preceding that person's appointment to the council, who shall never have been engaged in the practice of hearing instrument dispensing and fitting, audiology or medicine, and who has no direct or indirect affiliation with the hearing instrument profession or industry.

SECTION \_\_. Tennessee Code Annotated, Section 63-17-202, is further amended by adding the following language immediately preceding subdivision (b)(2) and by redesignating all subsequent subdivisions accordingly:

(b)

(2) Notwithstanding the provisions of § 3-6-304 or any other law to the contrary, and in addition to all other requirements for membership on the council:

(A) Any person registered as a lobbyist pursuant to the registration requirements of title 3, chapter 6 who is subsequently appointed or otherwise named as a member of the council shall terminate all employment and business association as a lobbyist with any entity whose business endeavors or professional activities are regulated by the council, prior to serving as a member of the council. The provisions of this subdivision (3)(A) shall apply to all persons appointed or otherwise named to the council after July 1, 2010;

(B) No person who is a member of the council shall be permitted to register or otherwise serve as a lobbyist pursuant to title 3, chapter 6 for any entity whose business endeavors or professional activities are regulated by the council during such person's period of service as a member of the council. The provisions of this subdivision (3)(B) shall apply to all persons appointed or otherwise named to the council after July 1, 2010, and to all persons serving on the council on such date who are not registered as lobbyists; and

(C) No person who serves as a member of the council shall be employed as a lobbyist by any entity whose business endeavors or professional activities are regulated by the council for one (1) year following the date such person's service on the council ends. The provisions of this subdivision (3)(C) shall apply to persons serving on the council as of July 1, 2010 and to persons appointed to the council subsequent to such date.

(4) A person who violates the provisions of subdivision (3) shall be subject to the penalties prescribed in title 3, chapter 6. The bureau of ethics and

campaign finance is authorized to promulgate rules and regulations to effectuate the purposes of subdivision (3). All such rules and regulations shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, and in accordance with the procedure for initiating and proposing rules by the ethics commission to the bureau of ethics and campaign finance as prescribed in § 4-55-103.

(5) In addition to all other requirements for membership on the council, all persons appointed or otherwise named to serve as members of the council after July 1, 2010, shall be residents of this state.

SECTION \_\_. The provision in this act prohibiting a person with any direct or indirect affiliation with the hearing instrument profession or industry from serving on the council shall apply to all appointments of such persons made to the council after July 1, 2010.